

E-filing

1 KEVIN RYAN (CSBN 118321)
United States Attorney

2 EUMI L. CHOI (WVSBN 0722)
3 Chief, Criminal Division

4 ROBERT D. REES (CSBN 229441)
5 Assistant United States Attorney

6 MICHAEL A. CAVES
Law Clerk

7 450 Golden Gate Avenue, 11th Floor
8 San Francisco, California 94102
Telephone: (415) 436-7112
Fax: (415) 436-7234
9 Email: Michael.Caves@usdoj.gov

10 Attorneys for Plaintiff

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15
16 UNITED STATES OF AMERICA, } CR No.: 05-00236 MAG

17 Plaintiff, } STIPULATION AND [PROPOSED]
18 v. } ORDER EXCLUDING TIME

19 MICHAEL BOYD,

20 Defendant. }

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22 On July 26, 2005, the parties in this case appeared before the Court for an initial appearance.
23 At that time, the parties stipulated that time should be excluded from the Speedy Trial Act
24 calculations from July 26, 2005 to September 19, 2005 for continuity of counsel and for effective
25 preparation of defense counsel. Specifically, Mr. Tyler, counsel for Mr. Boyd, requested the
26 continuance in light of his impending travel outside of the Northern District of California, and in
27 consideration of Mr. Boyd's work schedule. The parties represented that granting the continuance
28

1 was the reasonable time necessary for continuity of defense counsel and effective preparation of
2 defense counsel, taking into account the exercise of due diligence. See 18 U.S.C. §
3 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a
4 continuance outweighed the best interests of the public and the defendant in a speedy trial. See
5 18 U.S.C. § 3161(h)(8)(A).

6 SO STIPULATED:

7 KEVIN V. RYAN
United States Attorney

8
9 DATED: 9/16/05


ROBERT D. REES ~~TRACIE L. BROWN~~
Assistant United States Attorney

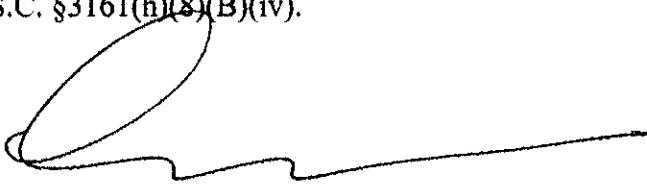
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11 DATED: 9/19/05


RONALD C. TYLER
Attorney for Mr. Boyd

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14 As the Court found on July 26, 2005, and for the reasons stated above, the Court finds that an
15 exclusion of time between July 26, 2005 and September 19, 2005 is warranted and that the ends
16 of justice served by the continuance outweigh the best interests of the public and the defendant in
17 a speedy trial. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance
18 would deny Mr. Boyd continuity of counsel and would deny defense counsel the reasonable time
19 necessary for effective preparation, taking into account the exercise of due diligence, and would
20 result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

21
22 SO ORDERED.

23 DATED: 9/19/05


EDWARD M. CHEN
United States Magistrate Judge